IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

Bail Appl..No. 4914 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.3780/2007 Dated 25/06/2007
MP.1990/2007 of J.M.F.C.,PERUMBAVOOR
CRIME NO.228/07 OF KURUPPAMPADY POLICE STATION

.....

: PETITIONER/ACCUSED NO.2

RAJESH NAIR 34 YEARS,
S/O.NARAYANAN NAIR, MANACKAKUDY HOUSE,
MUTHALAKULAM BHAGOM, KATTAKADA VILLAGE,
THIRUVANANTHAPURAM DISTRICT, NOW RESIDING NEAR
U.C.COLLEGE, ALUVA.

BY ADV. SRI.JOSEPH SEBASTIAN PURAYIDAM

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY P.P. SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 4914 of 2007

Dated this the 14th day of August, 2007

ORDER

Application for regular bail. This is the second application for regular bail before this Court. An earlier application was dismissed as per the order dated 25/6/07 in B.A.No.3780/07. I have already referred to the facts in detail in the said order. It is not hence necessary to refer to the facts in any greater detail in this order. The petitioner continues in custody from 14/5/07. Investigation is complete. Final report has already been filed. Cognizance has been taken by the court, it is submitted.

2. The learned counsel for the petitioner prays that the petitioner may now be enlarged on bail subject to appropriate terms and conditions. The learned Public Prosecutor opposes the application. Notwithstanding the opposition, I am satisfied that the petitioner can now be directed to be released on bail subject to appropriate terms and conditions. Such conditions

can be imposed which shall ensure that the petitioner does not repeat similar crimes while on bail.

3. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.2,00,000/- (Rupees Two lakhs only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate. The learned Magistrate must scrupulously ensure that the sureties offered are sufficient and solvent considering the peculiar circumstances and the antecedents of the petitioner.

(ii) The petitioner shall report before the S.H.O., Kuruppumpady Police Station between 5 p.m. and 6 p.m. on all Sundays until the case against the him is finally disposed of.

(R. BASANT, JUDGE)

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